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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,816	06/24/2005	Seiki Tamura	71,051-011	6348
27305 7590 10/09/2008 HOWARD & HOWARD ATTORNEYS, P.C. THE PINEHURST OFFICE CENTER, SUITE #101 39400 WOODWARD AVENUE BLOOMFIELD HILLS, MI 48304-5151				
EXAMINER				
MATTISON, LORI K				
ART UNIT		PAPER NUMBER		
4161				
MAIL DATE		DELIVERY MODE		
10/09/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10540816	6/24/2005	TAMURA, SEIKI	71,051-011

EXAMINER

LORI MATTISON

ART UNIT	PAPER
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4161 20081006

DATE MAILED:

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Commissioner for Patents

Notice of Non-Responsive Reply

The reply filed on July 14, 2008 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The species election is incomplete. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is long, within which to supply the omission or correctoin in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Election/Restrictions

Applicants election with traverse of Group II (claims 1, 2 and 3) and species elections in the reply filed on July 14, 2008 is acknowledged.

The original species election requirement, mailed on 5/14/2008 stated for "the species election of polymer to be considered responsive, the election must define the ultimate species of copolymer.." The presence or absence of optional moieties must be specified.

In the reply filed on July 14, 2008, applicant elected that $b_2 = 0$ such that the group C_3H_6O shall be treated as an otional compened....the examiner should treat the group C_3H_6O , not C_8H_6O , as absent. The examiner notes that C_8H_6O is repeated "b2" number of times, hence the reply filed on July 14, 2008 grants separte values for b_2 . The examiner has looked to the instant specification for guidance and has found that b_2 maintains the same value among the respective moieties (see page 30). Thus the species election does not define an "ultimate species" of polymer.

The examiner notes that a similar problem with integers results with "c." "An integer greater than zero" is not a specific species for moieties that are repeated "c" number of times.

Therefore, a compliant election of the species was not made.

/Ashwin Mehta/
Primary Examiner, Art Unit 1638